

IC 12-30-2

Chapter 2. Management and Staffing of County Homes

IC 12-30-2-1

Superintendent; term of office; removal

Sec. 1. The board of commissioners of each county shall appoint a superintendent of the county home. The superintendent serves for four (4) years from March 1, unless removed for cause under section 5 of this chapter.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-2

Superintendent; qualifications

Sec. 2. In appointing a superintendent of the county home, the commissioners shall select a reputable citizen of good moral character, kind and humane disposition, and good executive ability, who has had a good education. No consideration other than character, competence, and fitness may be allowed to actuate the commissioners in selecting, continuing, or discharging a superintendent or other officer.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-3

Superintendent; nepotism

Sec. 3. A relative of a member of the board of commissioners may not be appointed superintendent or employed in any capacity. A relative of the superintendent, except the spouse as assistant, may not be employed in any capacity with the home except by the consent of the board of commissioners.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-4

Superintendent; bond

Sec. 4. Each superintendent of a county home established and operated under this chapter may, in the manner prescribed by IC 5-4-1, be required to give bond, conditioned upon the faithful discharge of the superintendent's duty.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-5

Superintendent; removal for cause; record; appeal

Sec. 5. The board of commissioners of a county may remove the superintendent of the county home from office at any time, but only for cause, which must be entered in the record book of the board of commissioners. A superintendent removed from office under this section may appeal the removal action to the circuit court of the county within ten (10) days in the same manner as other appeals are taken from actions of the board of commissioners.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-6

Superintendent; salary; quarters and board

Sec. 6. Each superintendent appointed under this chapter is entitled to an annual salary, in addition to quarters and board for the superintendent and family in the county home, in an amount fixed by the board of commissioners.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-7

Management rules; employees; number and compensation

Sec. 7. The board of commissioners of each county shall prescribe rules necessary for the management of the county home. With the advice and assistance of the superintendent of the county home, the board of commissioners shall regulate the number and fix the compensation of the assistants, nurses, attendants, farmers, seamstresses, laborers, and other employees needed for the care and control of the home.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-8

Inspections; report

Sec. 8. (a) The board of commissioners shall, as a board, visit and inspect the county home at least one (1) time in every three (3) months and enter a report of the board of commissioners' inspection, stating needs and conditions of the institution in the records of the board of commissioners. The report shall be signed by each member of the board of commissioners.

(b) The members of a board of commissioners that has established a county home under this chapter shall, in person, annually inspect the county home with regard to the fitness of the county home in all respects for the object for which the county home was established.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-9

Employees; appointment; removal; qualifications

Sec. 9. (a) The superintendent of a county home shall appoint the assistants, nurses, farmers, laborers, and other employees needed for the work of the home.

(b) The superintendent may at any time remove and dismiss an officer or employee appointed by the superintendent. The superintendent shall report the removal in writing to the board of commissioners at the next regular meeting.

(c) The superintendent of a county home shall promptly remove an officer or employee who is guilty of drunkenness, profane or abusive language in the presence of the residents, cruelty to the residents, lewdness, or any other offense against Indiana law or against public decency.

(d) The superintendent may not consider political, family, or any other improper influence in appointing or dismissing a subordinate officer or an employee. Considerations of character, merit, and

competence are the only reasons for appointment or dismissal.
As added by P.L.2-1992, SEC.24.

IC 12-30-2-10

Management of home; best interests of county; labor by residents; excuse from labor; dismissal for refusing labor

Sec. 10. (a) The superintendent of the county home shall manage the county home and its farm to the best interests of the county.

(b) The superintendent shall maintain order and discipline and shall assign a reasonable amount of labor to every resident who is able to perform labor. A resident may not be excused from labor except by the superintendent or by the county physician for cause. The excuse of a resident by the physician shall be for a definite time, except in the case of:

- (1) residents at least seventy (70) years of age; or
- (2) residents suffering from a physical or mental disability that makes the residents unfit for labor;

to whom a permanent excuse may be given by the physician.

(c) A resident who refuses to perform the task assigned by the superintendent may be dismissed from the county home by the superintendent and can only be readmitted within six (6) weeks after dismissal:

- (1) with the consent of the superintendent; or
- (2) upon an order that is issued by the township trustee as the administrator of poor relief and endorsed by the chairman of the board of commissioners.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-11

Rules prescribed by the board of commissioners; suggestions made by division; reports

Sec. 11. The superintendent of a county home shall carefully observe the rules prescribed by the board of commissioners and shall be guided by suggestions that are made by the division of family and children and the county office. The superintendent shall make reports to the board of commissioners when the board of commissioners orders and shall make reports to the division of family and children when directed by the division.

As added by P.L.2-1992, SEC.24. Amended by P.L.4-1993, SEC.225; P.L.5-1993, SEC.238.

IC 12-30-2-12

Biannual report to board of commissioners; contents

Sec. 12. The superintendent shall make to the board of commissioners a detailed biannual report in writing of the following:

- (1) The time and manner of the admission of each indigent individual.
- (2) The health and fitness for labor of each resident.
- (3) The value of the labor contributed by the residents of the county home.

(4) The expense incurred in the operation of the county home.
As added by P.L.2-1992, SEC.24.

IC 12-30-2-13

Excess produce; sales; proceeds; deposits; reports

Sec. 13. (a) If there is produce of the county farm that is not needed for the subsistence of the residents, the superintendent shall report that fact to the board of commissioners. The board of commissioners may order the superintendent to sell the surplus produce in the manner and at the time as to produce the best return of money to the county.

(b) The superintendent shall, after making a sale of surplus produce under this section, collect the money and deposit the money with the county treasurer, who shall give the superintendent a receipt for the amount. The superintendent shall immediately thereafter report the transaction to the county auditor, file with the auditor the treasurer's receipt for the money, and take a quietus from the auditor for the money.

(c) All transactions regarding the sale of surplus products from the county farm shall be reported by the superintendent to the board of commissioners in an open meeting. The following information about the transactions shall be entered upon the board of commissioners' record:

- (1) The names of the purchasers.
- (2) A description of the articles sold.
- (3) The quantity of articles sold.
- (4) The date of sale.
- (5) The price received.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-14

Payment of officers and employees; materials and supplies; specific appropriations; void agreements

Sec. 14. (a) The authority of a county fiscal body under this chapter to pay officers and employees of county homes and to pay for materials and supplies for county homes is strictly limited to the extent of specific appropriations of money made in advance by the county fiscal body upon estimates furnished.

(b) An obligation or a liability may not be incurred by an officer on behalf of the county unless the obligation or liability is within the appropriation specifically made for the purpose.

(c) An undertaking or agreement contrary to this section is void, and no action may be maintained against the county based upon the undertaking or agreement.

As added by P.L.2-1992, SEC.24.

IC 12-30-2-15

Itemized statements of payments for medical services of county home residents

Sec. 15. (a) Beginning on July 1, 2004, before the last day of each

month, the office of the secretary of family and social services, or the office's designee, shall submit to a county home an itemized statement of a payment for the medical services for a resident of the county home during the previous calendar month, if a resident has given written consent allowing the office to disclose the resident's payment for medical services information to the county home.

(b) The office of the secretary of family and social services, or the office's designee, shall include the following information in the itemized statement:

- (1) The patient's name.
- (2) The service code for the service provider.
- (3) The amount requested by the provider.
- (4) The amount paid by the office.

(c) Before July 1, 2004, the office of the secretary of family and social services, or the office's designee, shall maintain a county home's itemized statements so as to allow a county home access to the county home's statements through a secure connection over the Internet.

As added by P.L.246-2003, SEC.1.